

**KINGSBURG CITY COUNCIL
REGULAR MEETING
NOVEMBER 1, 2006**

4:00 – 6:00 P.M. – PUBLIC WORKSHOP - for the proposed Simpson Street Water Main Benefit Assessment District.

5:00 P.M. – Mayor Bergstrom called the regular meeting of the Kingsburg City Council to order.

Council Members present: Bruce Blayney, Paul Kruper, David Karstetter, and Mayor Leland Bergstrom.

Council Members absent: Milo Smith

The Council went into Closed Session to discuss the following item:

- a. Public Employee Performance Evaluation**
Government Code Section 54957
City Manager

The Council adjourned from closed session into regular session at 7:03 PM.

REGULAR MEETING

Invocation was given by Council Member Bruce Blayney, followed by the Pledge of Allegiance led by Mayor Bergstrom.

Staff present: City Manager Don Pauley, Assistant City Manager/Finance Director Don Jensen, Police Chief Jeff Dunn, Records Supervisor Donna Nelson, City Engineer Dave Peters, City Attorney Mike Noland, Planning and Development Director Terry Schmal, and City Clerk Sue Bauch.

Others present: Sandra Statts, reporter Amy Fienen, Fresno County Administrative Officer Bart Bohn and other Fresno County staff.

PUBLIC COMMENTS - None

APPROVE AGENDA – A motion was made by Council Member Blayney, seconded by Council Member Karstetter, to approve the agenda as published. The motion carried by unanimous aye vote of those Council Members present.

CONSENT CALENDAR – A motion was made by Council Member Karstetter, seconded by Council Member Kruper, to approve the Consent Calendar as presented. The motion carried by unanimous aye vote of those Council Members present.

Approval of City Council Minutes – Approve minutes from the Regular City Council meeting held on October 18, 2006 as prepared by Clerk Sue Bauch.

Check Register – Ratify/approve payment of bills listed by Assistant City Manager/Finance Director Don Jensen on the check register for September 30, 2006 through October 27, 2006.

Community Choice Aggregation Program – Waive the second reading and adopt Ordinance No. 2006-10 with the following recital constituting reading of the title of said ordinance:

“ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KINGSBURG APPROVING THE SAN JOAQUIN VALLEY POWER AUTHORITY JOINT POWERS AGREEMENT AND AUTHORIZING THE SUBMITTAL OF AN IMPLEMENTATION PLAN FOR A COMMUNITY CHOICE AGGREGATION PROGRAM BY THE SAN JOAQUIN VALLEY POWER AUTHORITY”

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Transportation Advisory Committee Appointment – Ratify Mayor Bergstrom’s appointment of Leonard Duval to the Transportation Advisory Committee. Report prepared by Planning and Development Director Terry Schmal.

PULLED CONSENT CALENDAR ITEMS: None

REGULAR CALENDAR

PUBLIC HEARING – Pre-Zone RZ-2006-04 – Pre-zoning of a 20-acre parcel, west side of 10th Avenue south of Kamm Avenue (Assessor’s Parcel Number 394-021-14) – Report prepared by Planning and Development Director Terry Schmal.

Mayor Bergstrom opened the Public Hearing 7:06 PM.

Planning and Development Director Terry Schmal reviewed his staff report concerning a pre-zone action proposed so that the Carlson property can be included in an annexation that would also encompass Tentative Tract No. 5609 and the remainder of the Rosser property. Inclusion of this parcel would allow for annexation of a rectangular 51-acre territory rather than an L-shaped area that wraps around the Carlson parcel on the north and west. State guidelines for annexations discourage the creation of irregular boundaries. State law and LAFCO policies require that a property must be pre-zoned prior to annexation.

Mayor Bergstrom called for Public Comment. There was none. The Public Comment period was closed at 7:11 PM. Being no Council discussion, other than comments in agreement with the proposal, the Public Hearing was also closed at 7:11 PM.

A motion was made by Council Member Blayney, to determine that the Initial Study and Environmental Checklist satisfy the requirements of the California Environmental Quality Act, and that a Negative Declaration is the proper determination of environmental impact. The motion was seconded by Council Member Karstetter and carried by unanimous voice vote of those Council Members present.

A motion was made by Council Member Blayney to waive the first reading introducing Ordinance No. 2006-11 and pass on to the second reading with the following recital constituting reading of the title of said ordinance:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KINGSBURG PRE-ZONING A 20-ACRE PARCEL ON THE WEST SIDE OF 10TH AVENUE SOUTH OF KAMM AVENUE (ASSESSOR’S PARCEL NUMBER 394-021-14) TO THE R-1-7 ZONE DISTRICT UPON ITS ANNEXATION TO THE CITY”

The motion was seconded by Council Member Kruper and carried by unanimous voice vote of those Council Members present.

PUBLIC HEARING – Conditional Use Permit No. 2006-01 – for Expansion of Dental Office at 1064 Lewis Street - Report prepared by Planning and Development Director Terry Schmal.

Mayor Bergstrom opened the Public Hearing at 7:12 PM.

Planning and Development Director Terry Schmal reviewed his staff report concerning the proposed expansion of a dental office located at 1064 Lewis Street. He stated that this proposal was reviewed by the Planning Commission and the primary issue was the parking situation, which Mr. Schmal explained. The Council briefly discussed the various aspects of the parking issue.

Mayor Bergstrom called for Public Comment at 7:22 PM. Dr. Ky, the applicant, commented on the advantages of this expansion proposal.

Being no further public comment, Mayor Bergstrom closed the Public Comment period at 7:24 PM.

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At 7:25 PM, following brief continued City Council discussion, Mayor Bergstrom closed the Public Hearing.

A motion was made by Council Member Blayney, to determine that the project is Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA), and direct that the Notice of Exemption be filed with the office of the County Clerk. The project qualifies under Section 15301(e) (2) of the Public Resources Code (CEQA Guidelines) as an addition of less than 10,000 square feet to an existing structure in an area that is not environmentally sensitive and where all public services and facilities are available to allow for maximum development permissible in the General Plan. The motion was seconded by Karstetter and carried by unanimous aye vote of those Council Members present.

A motion was made by Council Member Blayney to make the findings required by Sections 1703 and 1707 of the Zoning Ordinance, and adopt Resolution No. 2006-63 approving, with conditions as recommended by the Kingsburg Planning Commission, CUP-2006-01, permitting the expansion of a conditional use, a dental office. The motion was seconded by Council Member Karstetter and carried by unanimous aye vote of those Council Members present.

PUBLIC HEARING – Ambulance Fee Rate Increase – Consider staff report prepared by Assistant City Manager/Finance Director Don Jensen.

Mayor Bergstrom opened the Public Hearing 7:26 PM.

Assistant City Manager/Finance Director Don Jensen reviewed his staff report. He stated that per the survey provided to the Council, staff is recommending a 25% increase in the ALS rate, BLS rate, mileage rate, and other miscellaneous charges, due to projected increases in service costs and capital needs.

At 7:28 PM Mayor Bergstrom called for Public Comment. There was none. The Public Comment period was closed.

Following brief Council discussion, Mayor Bergstrom closed the Public Hearing.

A motion was made by Council Member Blayney to approve an increase in Ambulance rates by 25% for ALS calls, BLS calls, mileage, and miscellaneous charges, to become effective December 1, 2006, and directing staff to include this rate increase in the City Master Fee Resolution. The motion was seconded by Councilmember Kruper and carried by unanimous aye vote of those Council Members present.

FRESNO COUNTY PUBLIC FACILITIES IMPACT FEES – Consider reports regarding the Fresno County Public Facilities Impact Fees.

Fresno County Administrative Officer Bart Bohn introduced other County staff. A lengthy discussion ensued regarding the proposed Fresno County Public Facilities Impact Fees.

Following this discussion, a motion was made by Council Member Blayney to direct staff to carry this item over to the next meeting for further discussion of the City's recommendations to the County concerning the proposed Public Facilities Impact Fees. The motion was seconded by Council Member Karstetter and carried by unanimous aye vote of those Council Members present.

REGIONAL RADIO INTEROPERABILITY PLAN – Consider report prepared by Kingsburg Police Chief Jeff Dunn and Records Supervisor Donna Nelson.

Chief Dunn asked Records Supervisor Donna Nelson to give the Council an update on what we are doing today, as well as what we will be able to do in the future, with radio interoperability. She reported that through various grants we have had all our marked police vehicles equipped with dual band radios and we are in the process of upgrading our 9-1-1 system and radio console system with grant and 9-1-1 funds through the State. In the event of a large scale disaster anywhere in California, our radios are adaptable to almost any channel used by police or fire departments with only minimal programming required.

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Brief discussion ensued regarding centralized dispatch. Chief Dunn stated that centralized dispatch would not compromise interoperability but there could be other issues.

Council thanked Chief Dunn and Donna Nelson for this update which has answered their previous questions.

HEADQUARTERS FIRE STATION ALLEY RIGHT-of-WAY – Direction to staff on process to be followed in securing dedication of alley right-of-way north of the Headquarters Fire Station from Marion to Smith Streets. Oral Presentation by City Manager Don Pauley.

Mr. Pauley reported that by the end of the next week we should have the documents for the easements in the alley. City Attorney Mike Noland stated that we have drafted the documents and are waiting for the title company to verify the ownership and encumbrances on the properties. Then these documents will be made available for signatures.

COUNCIL REPORTS AND STAFF COMMUNICATIONS

Five Cities Economic Development - Five Cities Economic Development Authority Social at the Reedley Opera House, Thursday, November 9, 2006.

Letter from Mayor of Santa Clarita on Ridge Route – Mayor Bergstrom stated that he will make copies of this letter, regarding a company that would be putting over a thousand trips daily on this route, available to the Council.

Measure C Maps - Mayor Bergstrom passed out copies, stating that these maps can be used in discussions, with citizens prior to the election.

Update on 18th/Draper Intersection – City Engineer Dave Peters stated that the intersection at 18th is now open. The next step is to open the Draper Street intersection which should be within the next week or so. The whole job will be done in approximately 3 more weeks.

Adjournment - At 8:56 PM the Kingsburg City Council adjourned.

Sue Bauch, City Clerk
City of Kingsburg